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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,592	01/28/2004	Art Charen	CHAREN-PA-1	5212

7590

01/24/2006

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EXAMINER

BLOUNT, ERIC

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/767,592	Applicant(s) CHAREN ET AL.	
	Examiner Eric M. Blount	Art Unit 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The copy of the memo filed on November 4, 2005 under 37 CFR 1.131 is sufficient to overcome the Mee and Meltzer references.

Response to Arguments

2. Applicant's arguments, see amendment, filed November 4, 2005, with respect to the rejection(s) of claim(s) the claims under 35 U.S.C. 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kravitz, Rothschild, and March.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kravitz et al [U.S. Patent No. 5,978,493].

Regarding **claim 1**, Kravitz teaches a method for alerting security personnel and bystanders that a person is missing. The method comprises steps of photographing one or more images of a person and recording the images electronically, collecting and

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recording identifying information related to the person and a guardian or responsible person, and transferring the identifying information and the recorded images to a portable storage medium (column 1, line 64 – column 2, line 11). The method further comprises transferring the recorded images and identifying information to a system server on demand, processing and storing the recorded images and identifying information in a data file, and displaying the recorded image on a plurality of display monitors at multiple locations (column 2, lines 25-30 and column 3, lines 51-65). Kravitz teaches that a computer processes the information received from the portable storage device (column 4, lines 8-25).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz as applied to the claim above, and further in view of March [U.S. Patent No. 6,034,605].

Regarding **claim 2**, Kravitz does not specifically disclose a step of obtaining a fingerprint of a person. In an analogous art, March discloses a method for alerting security personnel and bystanders that a person is missing, comprising the steps of obtaining a fingerprint of a person (column 2, lines 35-55), converting the fingerprint to a digital record (column 3, lines 40-52), and transferring the fingerprint record to a system

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server on demand (column 3, line 53 – column 4, line 11). March does not disclose that fingerprint information is transferred to a portable storage medium. However, Kravitz teaches the limitation of storing personal identification information on a portable storage medium and processing and storing the information in a data file. Neither Kravitz nor March specifically disclose generating an image in print format. One of ordinary skill in the art at the time of the invention by the applicant would have recognized that information including fingerprint records that were provided at a computer terminal for viewing could have been printed. It would have been obvious to the skilled artisan to modify the invention of Kravitz to include the steps of using fingerprint records for identifying lost individuals. This would have been an obvious modification because it would take advantage of a person's unique fingerprint to positively identify the lost person. The use of a fingerprint would ensure that a lost person would be positively identified.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz as applied to the claim 1 above and further in view of Wills [GB 2293348 A].

As for **claim 3**, though it would have been an obvious modification, Kravitz does not disclose a step of printing a label. In an analogous art, Wills discloses a step of printing a label when a person is missing (page 3, paragraph 2). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Kravitz to include a step of printing a label so that bystanders could recognize a missing person. The practice of printing ads, labels, posters, and

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flyers to inform the public of missing persons was well known in the art at the time of the present invention.

8. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz as applied to claim 1 above, in view of March and further in view of Wills.

As for **claim 4**, each of the references teaches a method for alerting security personnel and bystanders that a person is missing. Each reference also, teaches that this system maybe advantageous in places such as a school, shopping mall, hospital, or police station. It is well known that all of these locations are equipped with public address systems. It would have been obvious to one of ordinary skill in the art at the time of the invention by applicant to sound an alarm via a public address system when a person is lost. It was shown above that Kravitz teaches notifying persons at multiple locations of a missing person. A skilled artisan would have recognized that notification using a public address system would have prepared bystanders to be more aware of their surroundings so as to help in locating the lost person.

As for **claim 5**, Wills discloses that personal identification information needs to be updated periodically so information remains up-to-date (page 4, full paragraph 3). This would suggest that when using a smart card information may be erased and updated. It would have been obvious to one of ordinary skill in the art that information could be erased from a portable storage medium so that information could be update or so that the portable storage medium could be used for a different person.

9. Claims 6-12, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz in view of March.

As for **claim 6**, Kravitz discloses a system for alerting security personnel and bystanders that a person is missing that comprises cameras (208) for photographing and recording one or more images of a person (204, 206), a portable storage medium (300), data handler software and data compression modules are obvious parts of the Kravitz invention (column 3, lines 12-23 and column 4, lines 21-26). The computer systems of Kravitz would obviously have to have software to interpret and use the data read from the portable storage medium. Kravitz discloses that data and images are compressed. Kravitz also discloses personal computers (214, 400) and display monitors (column 2, lines 25-30). It is obvious that Kravitz has a server for communication between the users of the personal computers and a central database. Kravitz does not specifically disclose identification forms, a network protocol, and notification software. March discloses the use of personal identification forms (10) and broadcast of information over a network to a plurality of locations (column 1, lines 61-66). It would have been obvious that the system comprises a network protocol and notification software.

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Kravitz to include the teachings of March because the modifications would result in a notification system capable of informing a plurality of people at a plurality of locations anywhere in the world that a person is lost or has been abducted.

As for **claim 7**, Kravitz discloses a data collection module (506, 504, 512, 526), a database (508 or column 4, lines 21-26), and a data transfer module (514).

Regarding **claim 8**, it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that images could have been compressed into records of varying size. This limitation can be viewed as matter of design. One would obviously want to have a large photograph of a missing person's face so that security or bystanders could easily identify the lost person.

As for **claim 9**, March discloses means for signal monitoring (column 3, lines 31-40), a data processor module, and an output module (column 3, line 53 – column 4, line 25).

As for **claim 10**, March discloses that fingerprints could be a part of stored personal identification information. One of ordinary skill in the art would have recognized that a fingerprint sensor could be used for scanning and/or comparing a fingerprint with stored information.

Regarding **claims 11 and 12**, each of the references teaches a method for alerting security personnel and bystanders that a person is missing. Each reference also, teaches that this system maybe advantageous in places such as a school, shopping mall, hospital, or police station. It is well known that all of these locations are equipped with public address systems. It would have been obvious to one of ordinary skill in the art at the time of the invention by applicant to sound an alarm via a public address system and optionally a power horn when a person is lost. It was shown above that Kravitz teaches notifying persons at multiple locations of a missing person. A skilled

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artisan would have recognized that notification using a public address system would have prepared bystanders to be more aware of their surroundings so as to help in locating the lost person. These limitations can be viewed as matters of design.

Regarding **claims 17 and 18**, it was noted above that March obviously uses a network protocol. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to provide a standard wireless protocol or wireless access point device. Both were well known and widely used in communication devices at the time of the invention by the applicant. These limitations can be viewed as a matter of design.

10. Claims 13, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz in view of March as applied to claim 6 above, and further in view of Wills.

Regarding **claims 13 and 14**, neither Kravitz nor March disclose a smart card reader. Wills discloses that it was known in the art for lost person notification systems to have personal identification information stored onto smart cards and readers for reading the information from the cards (page 3, full paragraph 2). It would have been to one of ordinary skill in the art at the time of the invention by the applicant to modify the portable storage medium to include the well-known "smart" card for storing personal identification information to be read by a smart card reader. This would have been an obvious modification because smart cards are known for their low power characteristics and ease of use.

As for **claim 16**, Wills teaches the use of a label printer (page 3, full paragraph 2).

11. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz in view of March as applied to claim 6 above, and further in view of Rothschild [Pub No. US 2003/0097351 A1].

Regarding **claim 15**, neither Kravitz nor March disclose the use of a flash memory as a portable storage medium. In an analogous art, Rothschild discloses that a flash memory device can be used to store personal identification information (Figures 1 and 2, paragraph 7). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the inventions of Kravitz and March to include the use of a flash memory device. This would have been an obvious modification because the flash memory device could easily operate with any personal computer equipped with a USB port for storing and retrieving information relating to the identification of a person.

Conclusion

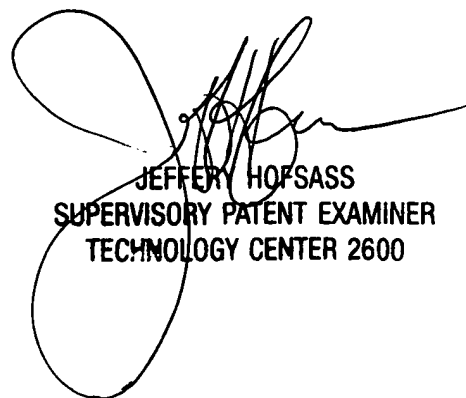
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on 8:00 am - 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric M. Blount
Examiner
Art Unit 2636



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